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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/744,102	03/16/2001	Eli Nhaissi	092/01939	3034

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EXAMINER

CHARLES, DEBRA F

ART UNIT

PAPER NUMBER

3624

DATE MAILED: 03/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/744,102

Applicant(s)

NHAISSI ET AL.

Examiner

Debra F. Charles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 88-179 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 88-179 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/14/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. Claims 1-87 have been cancelled. Claims 88-179 have been added.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 88-123, 125-128, 129-134, 138-141 and 156-171 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rainis et al.(6310873A), Jacobson (6735701B1) and Berlin et al.(5915093A).

Rainis et al. discloses internet prepayment system that allows the user to transfer funds from one account to another account, balance information, view advertisements, use a smart card for payment, use a prepayment scheme, guaranteed quality of service, and receive a refund if the service is not satisfactory, apparatus with storage(Abstract, col. 2, line 65-col. 4, line 10, col. 5, line 45-col. 6, line 5).

Rainis et al. does not disclose searching for something on the web and purchasing something on the internet. Berlin et al. discloses searching for something on the internet (Abstract, col. 2, line 30-67, col. 4, line 15-col. Col. 5, line 30). Therefore, it would have been obvious to one of ordinary skill in the art the time the Applicant's invention was made to modify the teachings of Rainis et al. to include the step of searching for something on the internet and purchasing something on the internet. The motivation to combine these references is searching for something on the internet and purchasing something are main ways of using the ISP internet billed time.

Both Rainis et al. and Berlin et al. fail to teach virtual personality. However, Jacobson does teach virtual personality in col. 7, lines 10-60. Therefore, it would have been obvious to one of ordinary skill in the art the time the Applicant's invention was made to modify the teachings of Jacobson to include the step of virtual personality. The motivation to combine these references is to facilitate customized internet access.

3. Claim 124 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rainis et al.(6310873A), Jacobson (6735701B1) and Berlin et al.(5915093A) and Yamanouchi et al.(5105268A).

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Rainis et al., Jacobson and Berlin et al. fail to teach first and second prepaid internet access account or card. Yamanouchi et al. disclose first and second prepaid card accounts wherein user can transfer funds between them(col. 12, 40-55). Therefore, it would have been obvious to one of ordinary skill in the art the time the Applicant's invention was made to modify the teachings of Rainis et al., Jacobson and Berlin et al. to include the step of two prepaid accounts or cards. The motivation to combine these references is to facilitate customized internet access with seamless funds transfer.

4. Claims 125-130 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rainis et al.(6310873A), Jacobson (6735701B1), Berlin et al.(5915093A), and Lavey Jr. et al.(6023698A).

Rainis et al., Jacobson and Berlin et al. fail to teach automatically connecting to the selected ISP. Lavey Jr. et al. disclose the user identification information and password can be stored by the client application and automatically passed to the ISP when a connection to the ISP is established, selecting a different ISP(Abstract, col. 1, line 55-col. 2, line 67). Therefore, it would have been obvious to one of ordinary skill in the art the time the Applicant's invention was made to modify the teachings of Rainis et al., Jacobson and Berlin et al. to include the step of automatically selecting and connecting to an ISP. The motivation to combine these references is to facilitate user's ability to use various ISP providers.

Claims 135-137 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rainis et al.(6310873A), Jacobson (6735701B1), Berlin et al.(5915093A), and Khan et al. (6199054B1).

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Rainis et al., Jacobson and Berlin et al. fail to teach modifying rate responsive to quality of service connection and various parameters. Khan et al. disclose current rate dynamically updated based on various parameters(Abstract, col. 2, lines 20-col. 3, line 5).). Therefore, it would have been obvious to one of ordinary skill in the art the time the Applicant's invention was made to modify the teachings of Rainis et al., Jacobson and Berlin et al. to include the step of varying the rate charged for services based on various parameters. The motivation to combine these references is to facilitate rate variation based on the quality of service as indicted by specific parameters.

Claims 142-145 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rainis et al.(6310873A), Jacobson (6735701B1), Berlin et al.(5915093A), and L. Del Riccio et al. (2769024A).

Rainis et al., Jacobson and Berlin et al. fail to teach prepaid entertainment and advertising distribution system. L. Del Riccio et al. disclose a advertising distribution system(cols 1 and 2). Therefore, it would have been obvious to one of ordinary skill in the art the time the Applicant's invention was made to modify the teachings of Rainis et al., Jacobson and Berlin et al. to include the step of using a prepaid advertising account to purchase various ad slots. The motivation to combine these references is to facilitate quick and efficient internet advertising purchase and presentation.

Claims 146-150 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rainis et al.(6310873A), Jacobson (6735701B1), Berlin et al.(5915093A), and Garrick et al.(5968125A).

Rainis et al., Jacobson and Berlin et al. fail to teach website construction and site maintenance software. Garrick et al. disclose The web sites, also known as home pages, may be created from various word processing documents spread sheets, presentation packages and the like using available application programs which

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convert the word processing documents into hypertext documents compatible with HTML. Microsoft's "FRONT PAGE" software is an example of available software for creating web sites. Hundreds and even thousands of web sites can be run by a web server. Each of the web sites may consist of any number of web pages and/or can even consist of a single hypertext document and one or more succeeding linked documents. The cost for maintaining a web site on a particular web server is based on various factors including: the particular disk storage space for the web site and/or web page, computer processing requirements, costs associated with designing and constructing pages in the web sites, costs of technical maintenance of the web site and the required hardware and software, costs to purchase the required hardware and software to operate the web site and other costs associated with building and operating the web site(Abstract, col. 2, lines 5-30). Therefore, it would have been obvious to one of ordinary skill in the art the time the Applicant's invention was made to modify the teachings of Rainis et al., Jacobson and Berlin et al. to include the step of website construction and site maintenance software. The motivation to combine these references is to facilitate quick and efficient internet site access, availability and customization.

Claims 151-179 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rainis et al.(6310873A), Jacobson (6735701B1), Berlin et al.(5915093A), and Skillen et al. (6098065A).

Rainis et al., Jacobson and Berlin et al. fail to teach implicit command. Skillen et al. disclose the associative search engine of machine contains software algorithms or non-precise techniques, such as, fuzzy logic that correlates a search argument derived from the user and changes in the argument during a single session with the product database whereby the most logical product from its available list may be selected. It then provides an advertisement insert that is added to the end user's search page in an attempt to offer the end user with the product that is closest to the need as determined by the associative search engine(col. 5, lines 25-40). Therefore, it would have been obvious to one of ordinary skill in the art the time the Applicant's invention was made to modify the teachings of Rainis et al., Jacobson and Berlin et al. to include the step of implicit

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command. The motivation to combine these references is to facilitate quick and efficient internet site access, availability and customization.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debra F. Charles whose telephone number is (571) 272 6791. The examiner can normally be reached on 9-5 Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent A. Millin can be reached on (571) 272 6747. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Debra F. Charles
Examiner
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A handwritten signature in black ink, appearing to read "Vincent Millin". The signature is fluid and cursive, with the first name "Vincent" written in a larger, more prominent script than the last name "Millin".

VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600